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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/997,186

11/28/2001

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02/15/2005

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EXAMINER

KOROBV, VITALI A

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/997,186	<b>Applicant(s)</b> ALLY ET AL.	
	<b>Examiner</b> Vitali Korobov	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1 - 14 are presented for examination.
2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/997186, filed on 11/28/2001.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 - 14 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification does not clearly describe which particular non-HTTP protocols the applicants have adopted for JSP invocation.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2155

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent 6,715,129 by Hind et al. (Hind).

4. With respect to claim 1, Hind teaches a computer program product for providing a composition service for invocation in a web server environment to format messages using specified JSP files (Col. 1, lines 62 – 65), the web server comprising an adapter process for accepting and responding to non-HTTP requests (Col. 6 lines 23 – 27, gateway 46), the computer program product comprising a computer usable medium having computer readable code means embodied in said medium, comprising computer readable program code means for implementing the composition service (Col. 6, lines 33 – 38), the composition service comprising a first execution path selectable when the composition service is invoked in response to an HTTP request in which first execution path the specified JSP files are executed directly in the web server environment (Col. 8, lines 52 – 56), the composition service comprising a second execution path selectable when the composition service is invoked in response to a non-HTTP request, in which second execution path a JSP execution method is identified for the specified JSP files and in which the specified JSP files are executed in accordance with the identified execution method (Col. 7, lines 22 – 32, use of intermediary, translation and/or transformation).

With respect to claim 2, Hind teaches the computer program product of claim 1 in which the JSP execution method comprises the generation of an HTTP request to the web server to execute the specified JSP files. (Col. 2, lines 2 – 9).

With respect to claim 3, Hind teaches the computer program product of claim 1 in which the JSP execution method comprises a direct call to the servlet runtime in the web server with an object built by the composition service corresponding to the specified JSP files (Col. 1, lines 50 – 52 and lines 58 – 62).

With respect to claim 4, Hind teaches a method for invoking JSP formatting for messages generated in response to a non-HTTP request made to a web server, the method comprising the following steps: a) creating an adapter process for accepting non-HTTP requests (Col. 6, lines 18 – 27), b) the adapter process accepting the non-HTTP request, the request relating to a message defined by specified JSP files (Col. 7, lines 22 – 30), c) the adapter process generating an HTTP request to the web server corresponding to the specified JSP files (Col. 7, lines 22 – 25, 30 – 32), d) the web server responding to the HTTP request by executing the specified JSP files and returning a JSP-formatted message to the adapter process (Col. 2, lines 2 – 9), and e) the adapter process returning the JSP-formatted message in response to the non-HTTP request. (Col. 7, lines 48 – 50).

With respect to claim 5, Hind teaches the method of claim 4 in which the adapter process implements the step of generating an HTTP request to the web server, using a composition service available to format messages in response to both HTTP and non-

HTTP requests (Col. 7, lines 48 – 50, non-HTTP request translation, Col. 8, lines 28 – 34, generation of HTML document in response to both HTTP and non-HTTP requests).

Claim 6 is rejected in view of the above rejection of claim 4. Claim 6 is essentially the same as claim 4, except that it sets forth the invention as a computer program product rather than a method, as does claim 4.

Claim 7 is rejected in view of the above rejection of claim 1. Claim 7 is essentially the same as claim 1, except that it sets forth the invention as a computer system product rather than a computer program, as does claim 1.

Claim 8 is rejected in view of the above rejection of claim 2. Claim 8 is essentially the same as claim 2, except that it sets forth the invention as a computer system product rather than a computer program, as does claim 2.

Claim 9 is rejected in view of the above rejection of claim 3. Claim 9 is essentially the same as claim 3, except that it sets forth the invention as a computer system product rather than a computer program, as does claim 3.

With respect to claim 10, Hind teaches the computer program product of claim 6 wherein said computer readable code comprises a computer readable signal and said medium comprises a computer readable signal bearing medium. (Col. 5, lines 37 – 39 and 43 – 45).

With respect to claim 11, Hind teaches the computer program product of claim 10 wherein said medium is a recordable data storage medium (Col. 5, lines 30 – 34).

With respect to claim 12, Hind teaches the computer program product of claim 10 wherein the medium is a modulated carrier signal. (Col. 6, lines 23 – 27, lines 33 - 39).

With respect to claim 13, Hind teaches the computer program product of claim 12 wherein the signal is a transmission over a network. (Col. 6, lines 11 – 15, lines 33 - 39).

Claim 14 is rejected in view of the above rejection of claim 4. Claim 14 is essentially the same as claim 4, except that it sets forth the invention as a computer program rather than a method, as does claim 4.

5. Claims 1 – 14 are further rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,430,624 by Jamtgaard et al. (Jamtgaard).

With respect to claim 1, Jamtgaard teaches a computer program product for providing a composition service for invocation in a web server environment to format messages using specified JSP files (Col. 4, lines 17 – 20, col. 5 , lines 38 - 40), the web server comprising an adapter process for accepting and responding to non-HTTP requests (Col. 7 lines 13 – 17, non-PC requests, translation server 12), the computer program product comprising a computer usable medium having computer readable code means embodied in said medium, comprising computer readable program code means for implementing the composition service (Col. 4, lines 36 – 44), the composition service comprising a first execution path selectable when the composition service is invoked in response to an HTTP request in which first execution path the specified JSP files are executed directly in the web server environment (Col. 9, lines 66 – 67, col. 10, lines 1 - 7), the composition service comprising a second execution path selectable when the composition service is invoked in response to a non-HTTP request, in which second execution path a JSP execution method is identified for the specified JSP files and in which the specified JSP files are executed in accordance with the identified

execution method (Col. 8, lines 25 – 31, operation of the wireless (i.e. non-HTTP) content delivery system teaches redirection to translation server 12; lines 41 – 45 – use of JavaScript).

With respect to claim 2, Jamtgaard teaches the computer program product of claim 1 in which the JSP execution method comprises the generation of an HTTP request to the web server to execute the specified JSP files. (Col. 10, lines 1 – 7).

With respect to claim 3, Jamtgaard teaches the computer program product of claim 1 in which the JSP execution method comprises a direct call to the servlet runtime in the web server with an object built by the composition service corresponding to the specified JSP files (Fig. 5, wireless device 15 directly calling Java servlet 60).

With respect to claim 4, Jamtgaard teaches a method for invoking JSP formatting for messages generated in response to a non-HTTP request made to a web server, the method comprising the following steps: a) creating an adapter process for accepting non-HTTP requests (Col. 7, lines 13 – 17), b) the adapter process accepting the non-HTTP request, the request relating to a message defined by specified JSP files (Col. 8, lines 41 – 45), c) the adapter process generating an HTTP request to the web server corresponding to the specified JSP files (Col. 5, lines 38 – 45, functionality of translation server), d) the web server responding to the HTTP request by executing the specified JSP files and returning a JSP-formatted message to the adapter process (Col. 5, lines 40 – 45, virtual browser functionality), and e) the adapter process returning the JSP-formatted message in response to the non-HTTP request. (Col. 9, lines 40 – 46).



With respect to claim 5, Jamtgaard teaches the method of claim 4 in which the adapter process implements the step of generating an HTTP request to the web server, using a composition service available to format messages in response to both HTTP and non-HTTP requests (Col. 7, lines 22 – 30).

Claim 6 is rejected in view of the above rejection of claim 4. Claim 6 is essentially the same as claim 4, except that it sets forth the invention as a computer program product rather than a method, as does claim 4.

Claim 7 is rejected in view of the above rejection of claim 1. Claim 7 is essentially the same as claim 1, except that it sets forth the invention as a computer system product rather than a computer program, as does claim 1.

Claim 8 is rejected in view of the above rejection of claim 2. Claim 8 is essentially the same as claim 2, except that it sets forth the invention as a computer system product rather than a computer program, as does claim 2.

Claim 9 is rejected in view of the above rejection of claim 3. Claim 9 is essentially the same as claim 3, except that it sets forth the invention as a computer system product rather than a computer program, as does claim 3.

With respect to claim 10, Jamtgaard teaches the computer program product of claim 6 wherein said computer readable code comprises a computer readable signal and said medium comprises a computer readable signal bearing medium. (Col. 7, lines 31 – 35. See also Fig. 2).

With respect to claim 11, Jamtgaard teaches the computer program product of claim 10 wherein said medium is a recordable data storage medium (Col. 7, lines 31 – 35. See also Fig. 2).

With respect to claim 12, Jamtgaard teaches the computer program product of claim 10 wherein the medium is a modulated carrier signal. (Col. 7, lines 31 – 35. A signal from a cellular phone is an example of a modulated carrier signal).

With respect to claim 13, Jamtgaard teaches the computer program product of claim 12 wherein the signal is a transmission over a network. (Col. 7, lines 1 - 5).

Claim 14 is rejected in view of the above rejection of claim 4. Claim 14 is essentially the same as claim 4, except that it sets forth the invention as a computer program rather than a method, as does claim 4.

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

#### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. 6,697,849 by Carlson. The patent teaches the use of JSP for dynamic content generation in response to both HTTP and non-HTTP requests.

See form PTO – 892 for additional citations.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov  
Examiner  
Art Unit 2155

2/10/2005

  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**